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Letter dated 12 May 2006 from the Permanent Representative of Uzbekistan to the United Nations addressed to the Secretary-General

I have the honour to attach information regarding the measures being taken by the Government of the Republic of Uzbekistan towards the abolition of the death penalty in the country by January 2008 (see annex).

I would appreciate it if you could circulate the present letter and its annex as a document of the General Assembly, under agenda item 71 (b).

(*Signed*) Alisher **Vohidov**
Permanent Representative
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Annex to the letter dated 12 May 2006 from the Permanent Representative of Uzbekistan to the United Nations addressed to the Secretary-General

Information on measures being taken by the Government of Uzbekistan towards the full abolition of the death penalty by January 2008

Uzbekistan has been carrying out cardinal reforms in its legal and judicial spheres aimed at gradual liberalization of the State's penal system. In particular, the liberalization of the legal and judicial system provides for the steady reduction of the scope of the death penalty and its replacement by a life sentence or long prison term.

In recent years, the number of crimes for the commitment of which the death penalty can be imposed has been decreasing. In 1994 Uzbekistan's criminal law contained 33 articles providing for the death penalty. Currently, following the implementation of a set of measures to liberalize the criminal law, there is a provision for the death penalty for the commission of only two crimes — terrorism and premeditated murder under aggravating circumstances. Yet the provisions of these articles do not exclude other alternatives to the death penalty. In this context, it is worth noting that for the last few years the death penalty has not been imposed as a form of criminal punishment.

Under the current criminal law of the country the number of crimes punishable by the death penalty makes up less than 1 per cent of the overall number of criminally punishable acts. Regardless of the seriousness of the crime committed, the law prohibits the imposition of this penalty on men over 60 years of age, women and minors.

The State's policies in the sphere of criminal and judicial practice concerning the imposition of the death penalty fully conform to world trends and consistently reflect the principles of humanism and justice.

On the basis of the established principles and rules of international law and the provisions of the Constitution of the Republic of Uzbekistan, which proclaim and guarantee the human right to life, as well as for the purpose of taking specific measures to further liberalize criminal penalties, the President of Uzbekistan on 1 August 2005 issued a decree on the abolition of the death penalty in Uzbekistan. According to the decree the death penalty shall, as from 1 January 2008, be abolished as a form of punishment and be replaced by penalties in the form of a life sentence or a long prison term. It is fully consistent with the provisions of the International Covenant on Civil and Political Rights to which Uzbekistan is a party.

A wide range of measures are being taken at present in Uzbekistan for the implementation of the Presidential Decree on the abolition of the death penalty, in particular:

1. Introducing necessary amendments and additions to the Criminal Code, the Code of Criminal Procedure and the Criminal Executive Code of the Republic of Uzbekistan in connection with the elimination of the death penalty from the criminal penal system and its replacement by either life sentences or long prison terms.

2. Conducting wide-scale explanatory work among the citizens with the purpose of raising their awareness on the necessity of further liberalizing the criminal penal system. According to the public-opinion survey results conducted annually by the Centre for Public Opinion Studies, more than 75 per cent of respondents favour maintaining the death penalty in the criminal punishment system.

3. Taking preparatory measures for the construction of the specialized institutions necessary for the detention of convicted offenders sentenced to life imprisonment or long prison terms, as well as procedures for training personnel to work in these penitentiary facilities.

Consequently the abolition of the death penalty is associated with serious financial and technical issues, addressing which requires a certain time.

The Government of Uzbekistan is effectively cooperating with the United Nations Human Rights Committee, particularly in dealing, in a timely and appropriate manner, with communications of the Committee on suspension of execution of the death penalty with regard to those sentenced to death and whose cases are under the Committee's consideration.